

DECLARATION AND POWER OF ATTORNEY

As below named Inventors, we Mark O. Worthington, James R. Norton, Horacio C. Kido, and Victor M. Ortiz hereby declare that:

Our residence, post office address, and citizenship are as stated below next to our name.

We believe we are the original, first, and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: OPTICAL DISCS FOR MEASURING ANALYTES, the application for which is attached hereto.

We hereby state that we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, Code of Federal Regulations. Sec.1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed. Prior Foreign Applications: NONE.

We hereby declare the benefit under Title 35, United States Code, Sec. 119(e) of any United States provisional application listed below:

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|------------|--------------------------|
| 60/254,394 | filed December 8, 2000 |
| 60/255,233 | filed December 12, 2000 |
| 60/293,917 | filed May 24, 2001 |
| 60/294,051 | filed May 29, 2001 |
| 60/294,052 | filed May 29, 2001 |
| 60/303,437 | filed July 6, 2001 |
| 60/306,226 | filed July 18, 2001 |
| 60/323,405 | filed September 19, 2001 |

We hereby claim the benefit under Title 35, United States Code. Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112. We acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application. Prior United States Applications: NONE.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As named joint inventors, we hereby appoint Donald Bollella, Reg. No. 35,451, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith and with the resulting patent.

Address all correspondence to:

Donald Bollella, Esq.
Chief Patent Counsel
LEGAL DEPARTMENT
Burstein Technologies, Inc.
163 Technology Drive Suite 200
Irvine, California 92618

Direct telephone calls to Donald Bollella at (949) 453-1800.

Full name of First inventor: **Mark O. Worthington**

Signature: 

Date: 12/05/01

Residence: 3900 Parkview Lane, #29B
Irvine, CA 92612

Citizenship: UNITED STATES

Post Office Address: Same as residence address

Full name of Second inventor: **James R. Norton**

Signature: _____

Date: _____

Residence: 19321 Fisher Lane, Santa Ana, CA 92705

Citizenship: UNITED STATES

Post Office Address: Same as residence address

Full name of Third inventor: **Horacio Kido**

Signature: *Horacio Kido*

Date: *December 5, 2001*

Residence: P.O. Box 339, Niland, CA 92257

Citizenship: UNITED STATES

Post Office Address: Same as residence address

Full name of Fourth inventor: **Victor M. Ortiz**

Signature: *V. M. Ortiz*

Date: *12/05/2001*

Residence: 468 N. Emerald Drive, Orange CA 92868

Citizenship: UNITED STATES

Post Office Address: Same as residence address

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:
Worthington, et al.

Serial No.: To be assigned

Filed: Concurrently herewith

For: OPTICAL DISCS FOR MEASURING
ANALYTES

§
§ Art Unit: N/A
§
§ Examiner: N/A
§
§ Attorney Docket No.
§ BTI2 00103001(USP8)US
§
§
§

Commissioner of Patents
Washington, D. C. 20231

Sir:

ASSOCIATE POWER OF ATTORNEY

Please recognize Frederick S. Frei, Esq., Registration No. 27,105, from the firm of DORSEY & WHITNEY LLP, 1001 Pennsylvania Avenue, N.W., Washington, D.C. 20004, as associate attorney in the further prosecution of the above-identified application.

Please address all future correspondence to:

Frederick S. Frei, Esq.
Dorsey & Whitney LLP
1001 Pennsylvania Avenue, N.W.
Washington, D. C. 20004

Direct all telephone calls to Frederick S. Frei at (202) 824-8800.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 50-1781. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date:

Dec 6, 2001
BURSTEIN TECHNOLOGIES, INC.
LEGAL DEPARTMENT
163 Technology Drive, Suite 200
Irvine, California 92618
Telephone: (949) 453-1800

Donald Bollella
Donald Bollella
Registration No. 35,451